IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 4291 of 1997

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

DHANJIBHAI BHAIJIBHAI VANKAR

Versus

STATE OF GUJARAT

Appearance:

MR NN PATEL for MR IM PANDYA for Petitioner

MR PREMAL JOSHI for Respondent No. 1

MR RN SHAH for Respondent No. 2, 3

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 19/09/2000

ORAL JUDGEMENT

Having heard the learned counsel for the parties, prima-facie I am satisfied that the approach of the Nagar Prathmik Shikshan Samiti, Ankleshwar, is wholly perverse

in the matter. It is not the case of respondents that the committee has no power to condone the delay which occurred in filing Appeal by an employee. This order is set aside. The petitioner is free to file an application for condonation of delay giving therein the grounds for condonation of the same and the Samiti to consider that application in the light of the decision of the Hon'ble Supreme Court wherein it is held that in such matters, liberal approach is to be made more so, when the employee has a good case on merits. With these directions Rule and special civil application stand disposed of. No order as to costs.

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(sunil)